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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09         UNITED STATES OF AMERICA,                   )  
10    )      CASE NO. MJ 11-464  
11         Plaintiff,                                    )  
12         v.    )  
13         WESLEY ARMSTRONG,                            )  
14         Defendant.                                    )  
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14         Offense charged:      Conspiracy to Distribute Cocaine Base; Felon in Possession of a Firearm

15         Date of Detention Hearing:   September 26, 2011.

16         The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17         based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18         that no condition or combination of conditions which defendant can meet will reasonably  
19         assure the appearance of defendant as required and the safety of other persons and the  
20         community.

21                   FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22         1.         Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to  
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03       2.     Defendant, age 25, has a lengthy criminal record which includes multiple  
04 violations of court orders and bench warrant activity. While on Department of Corrections  
05 supervision, there were eight noted violations. He was terminated from supervision less than  
06 one year prior to the alleged offense activity. His past criminal record includes prior drug  
07 offenses.

08       3.     Defendant was terminated from drug treatment and has a substance abuse  
09 history. His release address is not suitable and there is some unverified/contradictory  
10 background information presented.

11       4.      Taken as a whole, the record does not effectively rebut the presumption that no  
12 condition or combination of conditions will reasonably assure the appearance of the defendant  
13 as required and the safety of the community.

## 14 || It is therefore ORDERED:

with a court proceeding; and

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 26th day of September, 2011.

Mary Alice Theiler  
Mary Alice Theiler  
United States Magistrate Judge